

**Notice of Allowability****Application No.**

10/749,007

**Applicant(s)**

SINGER ET AL.

**Examiner**

Clement B. Graham

**Art Unit**

3692

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the applicant's remarks filed 3/27/08.
2. ☒ The allowed claim(s) is/are 1,3-13,15,16,18,19 and 21-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 9/3/08.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Frantzy Poivnil/  
Primary Examiner, Art Unit 3692

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Monica Dudek September 3, 2008.

The application has been amended as follows:

Claim 1 has been replaced by:

-- Claim 1, A method for implementing an automated trading strategy relating to a tradable object being traded in an electronic exchange, the method comprising: electronically establishing a first automated trading strategy based on a first tradable object and a second tradable object, the first automated trading strategy generating a first order for the second tradable object, wherein a price of the first order is based upon a first estimated price for the first tradable object; electronically establishing a second automated trading strategy based on the first tradable object and a third tradable object, the second automated trading strategy generating a second order for the third tradable object, wherein a price of the second order is based upon a second estimated price for the first tradable object; electronically receiving market information for the first tradable object from an electronic exchange, the market information comprising order quantities available to buy or sell the first tradable object at a plurality of price levels; electronically calculating the first estimated price based on the order quantities in the received market information for a first order quantity of the first tradable object; taking a first action of the first automated trading strategy based on the first estimated price, wherein the first action comprises electronically sending the first order by the first automated trading strategy to an electronic exchange; electronically calculating the second estimated price based on the order quantities in the

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received market information for the first tradable object, an allocation of the first order quantity at the first estimated price, and further based on a second order quantity; and electronically taking a second action of the second automated trading strategy based on the second estimated price, wherein the second action comprises sending the second order by the second automated trading strategy to an electronic exchange. - -

Claim 3 has been replaced by:

-- Claim 3, The method of claim 1 wherein the second order has a price that is calculated based on the second estimated price and a ratio. - -

Claim 13 has been replaced by:

-- Claim 13, A computer-based method for coordinating trading tools that are used to trade tradable objects in an electronic trading environment, the method comprising:  
electronically receiving market information related to a tradable object from the electronic exchange, the market information comprising order quantities available for the tradable object at a plurality of price levels;  
electronically receiving a first request from a first trading tool, wherein the first request represents a willingness to lean on a tradable object in executing a first trading strategy comprising a first order to buy or sell a first order quantity of the tradable object;  
electronically allocating the first order quantity at a first available price level for the tradable object associated with the first request to the first trading tool based on the electronically received order quantities available at the plurality of price levels, wherein the allocated first order quantity at the first available price level for the tradable object is used by the first trading tool in electronically formulating a first estimated price for the first order;  
electronically receiving a second request from a second trading tool, wherein the second request represents a willingness to lean on the tradable object in executing a second trading strategy comprising a second order to buy or sell a second order quantity of the tradable object; and

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based on the allocation of the first order quantity at the first price level and the received order quantities available at the plurality of price levels, electronically allocating the second order quantity at a second available price level for the tradable object associated with the second request to the second trading tool, wherein the allocated second order quantity at the second available price level for the tradable object is used by the second trading tool in electronically formulating a second estimated price for the second order. --

### **Allowable Subject Matter**

2. Claims 1, 3-13, 15-16, 18-19 and 21-24 are allowable over the prior art of record and as argued by Applicant's representative in their response 3/27/2008.

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/  
Primary Examiner, Art Unit 3692**

CG

Sept 3, 2008